

O.A.1165/92

Dated: 27-9-93

Shri G.S.Walia for the applicant.

Shri S.C.Dhawan for the respondent.

Heard learned counsels for both sides.

The point <sup>Spontaneously</sup> ~~extensively~~ pressed by the counsel for the applicant <sup>or</sup> that the pay of the applicant is reduced and such action is violative of principles of natural justice, and it was unilateral decision on the part of the railway authorities. The learned counsel for the respondents <sup>shortly</sup> ~~statutorily~~ denied that there was any reduction of pay of the applicant. It was only correction of the clerical <sup>error</sup> ~~nature~~, initially, which was corrected at the stage of calculating pensionary benefits and the recovery against ~~excess~~ pay drawn. The applicant had represented to the D.R.M. for reviewing this order which was rejected by the DRM saying that the pay fixation was rightly done. The impugned order dated Dec.91 could have been represented against to the higher authorities as per Railway rules, <sup>applicable to all</sup> ~~at~~ the railway employees. Instead the applicant chose to come to the Tribunal directly which is hit by the Section 20 of the Administrative Tribunals Act 1985. I may also mention that there is no prima-facie <sup>case</sup> ~~one~~ of the applicant to seek redressal at this <sup>administrative</sup> ~~forum~~. The case is therefore dismissed.

However, the applicant is at liberty to seek redressal at appropriate level and if he is not satisfied, he may come to the Tribunal ~~later~~.

N.K. Verma  
(N.K.Verma)  
Member/A

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